

# **Alaskan Arctic Turtle Tours, Inc.**

BLM Fairbanks District - Central Yukon Field Office 2930 – Special Recreation Permit

Case File Number FF093035

Jim Winslow, Alaskan Arctic Turtle Tours, Inc.

## **Compliance**

Subject lands are covered under the Utility Corridor Resource Management Plan, which was approved on January 11, 1991; the action has been reviewed for and is in conformance with Chapter Two of the Plan (pages 2-26 and 2-27) and also implementing action #1 under Recreation Program Objective 2 found in Appendix N (page N-19) which states “Process Special Recreational Permit applications for all commercial and competitive events on a case-by-case basis;” and the Recreation Area Management Plan for the Dalton Highway which was approved on October 11, 1991.

## **Selected Action**

It is my decision to approve a 2930 Special Recreation Permit for the use of BLM lands by Jim Winslow, Alaskan Arctic Turtle Tours, Inc., for tours on BLM lands in the Dalton Highway Corridor Management Area from January 1, 2013 through December 31, 2017. Activities will include use of BLM waysides and recreation sites and include sightseeing, wildlife watching, aurora viewing, and amateur photography. Travel will be in 15 passenger vans and done in accordance with federal, state, and local laws.

1. Authorizing this Proposed Action will facilitate an acceptable and permitted practice by the BLM and is compatible with the Utility Corridor Resource Management Plan, and is an action that can be categorically excluded. The Proposed Action does not trigger any of the Extraordinary Circumstances found in 43 CFR 46.21 516 DM Chapter 2, Appendix 2. In addition, the decision to process this application as a Categorical Exclusion falls within the guidance provided in Appendix 4 NEPA Handbook Appendix 4, 516 DM 11.9 (H) 1, as described above in ‘Compliance with NEPA’.

## **Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the NEPA Handbook Appendix 4, 516 DM 11.9 (H), which states, “Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan.”

The proposed action must be screened against the extraordinary circumstances found in 43 CFR 46.215 and listed below. Any “yes” finding requires that an Environmental Assessment or Environmental Impact Statement be prepared for the Proposed Action.

## **Public Involvement:**

Unsolicited favorable comments have been received in this office about Mr. Winslow and his management of Alaskan Arctic Turtle Tours, Inc. and his delivery of travel tours to the Dalton Highway area.

## **Rationale:**

1. Authorizing the permit is specifically provided for in the Utility Corridor Resource Management Plan.
2. The action is categorically excluded and does not trigger any of the extraordinary circumstances found in CFR 46.215.
3. There will be no restriction to subsistence use (See attached ANILCA 810 documentation).
4. There will be no adverse impacts to cultural resources (See attached Assessment of Archaeological and Historic Resources Sec. 106 documentation).
5. There will be no impact on Essential Fish Habitat (see attached EFH determination).

## **Appeal or Protest Opportunities:**

If you choose to protest this decision you must do so within 15 days of the receipt of permit determination. The protest must be filed with and received by the CYFO Field Manager within the allotted time. The protest must present any evidence that would show the decision is in error and should be vacated or modified. Within 15 days of receipt of a timely protest the Field Manager will review any evidence provided by you and forward a recommended final decision to the Fairbanks District Manager. The decision of the District Manager will be the final BLM decision, and may be appealed to the Interior Board of Land Appeals.

This decision may be appealed to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with 43 CFR Part 4 and DOI Form 1842-1. The notice of appeal must be filed in the Bureau of Land Management Central Yukon Field Office within 30 days from receipt of this decision.

## **Authorizing Official:**

/s/ Nichelle Jacobson  
Nichelle W Jacobson  
Manager, Central Yukon Field Office

4/26/2013  
Date

## **Contact Person**

For additional information concerning this Finding, contact.

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# Essential Fish Habitat Assessment

NEPA Document No.: DOI-BLM-AK-F030-2013-0009-CX

Prepared by: David Esse

Date: 4/19/13

Essential Fish Habitat (EFH) Finding: While anadromous species are present in the project area (ADF&G 2013), it is not anticipated that the proposed action will have an adverse effect on EFH. Therefore, the proposed action is assigned the EFH determination: *No effect*. EFH consultation with NMFS is not required.

## References:

Alaska Department of Fish and Game. 2013. Fish distribution database. Internet website at: <http://www.sf.adfg.state.ak.us>.

# Wilderness Characteristics Assessment

**NEPA Document No.:** DOI-BLM-AK-F030-2013-0009-CX

**Case File/Serial No.:** FF093035

**Applicant(s):** Jim Winslow, dba Alaskan Arctic Turtle Tours, Inc.

**Location:** Dalton Highway Corridor Management Area (DHCMA)

## **Proposed Action:**

The commercial tour operator proposes to provide guided tours of the Dalton Highway using recreation areas, public lands and facilities for business and financial gain. The applicant proposes to transport tourists in the DHCMA by passenger van with travel beginning and ending in Fairbanks. The operator provides tours throughout the year and specific activities are dependent on the season and weather conditions. Advertised activities include sightseeing tours, aurora viewing, wildlife viewing, photography (non-commercial), interpretation of natural and living history, and stops at BLM-designated and managed waysides. The dates of the proposed

action are from January 1, 2013 – December 31, 2017 for a term of five (5) years.

## **Evaluation:**

The basis for this evaluation is BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, and BLM Manual 6320 - Considering Lands with Wilderness Characteristics in the BLM Land Use Planning Process, which direct offices to conduct and maintain inventories regarding the presence or absence of wilderness characteristics, and to consider identified Lands with Wilderness Characteristics (LWC) in land use plans and when analyzing projects under the National Environmental Policy Act (NEPA).

Effects on wilderness characteristics on BLM lands within the Utility Corridor are evaluated according to the Nonwilderness Assessment, a special project approved by the BLM Director and conducted by the BLM along portions of the Trans-Alaska Pipeline System (TAPS) corridor in 1980. This assessment identified lands under BLM administration that were considered lacking in the wilderness characteristics as defined by the Wilderness Act of 1964. The assessment was conducted in a manner that met the requirements of Section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA).

The Dalton Highway and Trans-Alaska Pipeline parallel each other for the entire length of the Utility Corridor. The pipeline is 48" in diameter and elevated above ground for much of its length so it is highly visible. The Dalton Highway supplies Alaska's arctic oilfields and supports considerable industrial traffic year-round. These man-made features and associated human activities are highly visible and audible. Permitted activities such as gravel- and gold mining occur throughout the area and have expanded in some locations. These developments are substantially noticeable and alter the natural character of lands in the Utility Corridor.

The action being considered is primarily located within the Sagavanirktok (325,000 acres), Atigun (223,000 acres), Prospect (550,000 acres) and Yukon (688,300 acres) Segments of the

Nonwilderness Assessment. BLM management authority in these segments occurs along the Dalton Highway and extends to the east/west limits of BLM-managed land.

Portions of this segment meet the 5,000 acre minimum size. However it was determined that the Atigun Segment did not meet the standards for naturalness due to roads, camps, airfields, pipelines, material sites and associated facilities. These disturbances bisect the entire length of the segment.

**FINDING:**

The proposed action will not occur on lands identified as having wilderness characteristics and therefore will not affect wilderness characteristics.

**Type of Assessment/Sources:**

- U.S. Department of Interior, BLM, 1980. Nonwilderness Assessment: The Alaska Natural Gas Transportation System, Final Decision. Anchorage, Alaska
- maps, GIS data, Google Earth images

**Prepared by:** Lisa Shon Jodwalis, Park Ranger-Interpretation

**Date:** 25 March 2013

# **Compliance with ANILCA Section 810**

**NEPA Document No.:** DOI-BLM-AK-F030-2013-0009-CX

**Applicant(s):** Jim Winslow, dba — Alaskan Arctic Turtle Tours, Inc.

**Case File/Serial No.:** FF093035

**Proposed Action:** The commercial tour operator proposes to provide guided tours of the Dalton Highway.

**Township/Range:** Dalton Highway Corridor at BLM managed sites.

**Evaluation by:** Jennifer McMillan and David A. Esse

**Date:** 4/23/13

**Type of Assessment/Sources:** Review of application materials, subsistence database, local knowledge, interviews with staff knowledgeable about the area and the proposed action.

## **Effect of the proposal on subsistence uses and needs:**

**Fisheries:** Arctic Grayling are common and widely harvested by subsistence users throughout the Koyukuk River drainage. The subsistence harvest takes place primarily with hook and line gear during the fall as the grayling move from their headwater summer rearing habitat to deeper wintering areas. Fall harvests using these methods can result in individual subsistence fishers taking hundreds of grayling (Anderson et al. 2004). The proposed action would not alter the distribution, migration or location of harvestable fisheries resources. The proposed action will not create any legal or physical barriers that would limit access by subsistence users of the fisheries resource.

**Wildlife:** The proposed action will overlap with the nesting season for migratory birds near in the vicinity of the Dalton Highway. Participants are advised to avoid harassing nesting birds during the conduct of the proposed actions. Small game species and birds would not be significantly affected by the proposed action since the activity is to take place at well-used public use areas. Additionally, participants will practice localized avoidance of large game such as moose, caribou and bears. Therefore, the activities will not significantly affect subsistence uses and needs.

**Other resources:** The proposed activity will not significantly impact other resources such as berries, willows, and spruce roots. Subsistence activities that target these resources occur in a much broader area than where the proposed action is to take place. Therefore, the proposed action will not significantly affect subsistence uses and needs.

## **Expected reduction, if any, in the availability of resources due to alteration in resource distribution, migration, or location:**

None. Fish and wildlife resources may temporarily avoid the project area while the permittee and associates are present. However, there is no expected reduction in the availability of resources due to alteration in resource distribution, migration, or location.

Expected limitation, if any, in the access of subsistence users resulting from the proposal:

None. Access to subsistence resources will not be hampered by the proposed action.

**Availability of other lands, if any, for the purpose sought to be achieved:** The only highways that head north to the Arctic Circle from Fairbanks are the Elliot and Dalton Highways. Waysides already exist along these highways. Therefore, there are no other lands are available for this use.

**Other alternatives, if any, which would reduce or eliminate the use, occupancy, or disposition of public lands needed for subsistence purposes:**

There is no substantial evidence that would indicate a significant impact on subsistence will result from the proposed action. No other alternatives were evaluated.

**Findings:** The proposed action will not significantly restrict subsistence uses. No reasonably foreseeable and significant decrease in the abundance of harvestable resources or in the distribution of harvestable resources, and no reasonably foreseeable limitations on harvester access have been forecasted to emerge as a function of the action that is analyzed in this document.

References:

Anderson, D.B., C.L. Brown, R.J. Walker, and K. Elkin. 2004. Traditional ecological knowledge and contemporary subsistence harvest of non-salmon fish in the Koyukuk River drainage, Alaska. Technical Paper No. 282. Alaska Department of Fish and Game, Division of Subsistence, Fairbanks, AK. 164p.